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APPLICATION N	O. F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,665		08/21/2003	Wei Ming Hsin	38699-8034US	9932
25096	7590	06/24/2005		EXAM	INER
PERKIN	S COIE LL	.P	JOYCE, HAROLD		
PATENT- P.O. BOX	-		ART UNIT	PAPER NUMBER	
SEATTLE	E, WA 981	11-1247	3749		

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)				
•	10/646,665	HSIN ET AL.				
Office Action Summary	Examiner	Art Unit				
	Harold Joyce	3749				
The MAILING DATE of this communicatio Period for Reply	n appears on the cover sheet w	ith the correspondence address				
A SHORTENED STATUTORY PERIOD FOR R THE MAILING DATE OF THIS COMMUNICAT! - Extensions of time may be available under the provisions of 37 C after SIX (6) MONTHS from the mailing date of this communicati. - If the period for reply specified above is less than thirty (30) days - If NO period for reply is specified above, the maximum statutory - Failure to reply within the set or extended period for reply will, by Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).	ON. FR 1.136(a). In no event, however, may a on. , a reply within the statutory minimum of thi period will apply and will expire SIX (6) MO statute, cause the application to become A	reply be timely filed rty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).				
Status		•				
1) Responsive to communication(s) filed on	<u>19 May 2005</u> .					
2a)⊠ This action is FINAL . 2b)□	This action is non-final.					
3) Since this application is in condition for al	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4) Claim(s) 1-20 is/are pending in the applic	ation.					
4a) Of the above claim(s) is/are with	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-20</u> is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction a	and/or election requirement.					
Application Papers						
9)☐ The specification is objected to by the Exa						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.						
Applicant may not request that any objection to						
Replacement drawing sheet(s) including the	•	-				
11)☐ The oath or declaration is objected to by t	He Examiner. Note the attache	ed Office Action of John F 10-132.				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for for a) All b) Some * c) None of: 1. Certified copies of the priority docu 2. Certified copies of the priority docu	nments have been received. Iments have been received in a	Application No				
 Copies of the certified copies of the application from the International E 		n received in this National Stage				
* See the attached detailed Office action for	•	t received.				
. Coo and addition dottered dotter for						
Attachment(s)						
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-94) 		Summary (PTO-413) (s)/Mail Date				
Information Disclosure Statement(s) (PTO-1449 or PTO/S Paper No(s)/Mail Date		Informal Patent Application (PTO-152)				

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-7, 9-14 and 16-17 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sumrack.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumrack. The article being glass substrate does not result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art since the prior art structure is capable of performing the intended use.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claims 1 and 13, lines 5 and 6, "wherein air flows ... said article" is misdescriptive because the air flow appears to be from the center of the article towards the hoods. In claim 1, line 7 and 8 and claim 13, line 6, "for generating polluted air flows" is misdescriptive because the hood does not generate the polluted air flows.

Response to Arguments

- 7. Applicant's arguments filed May 19, 2005 have been fully considered but they are not persuasive. Applicant's arguments as they applies to the independent claims are not germane with the claims. E.g., applicant has not shown how specific structure of the claim language differs for Sumrack. Applicant has only indicated vague functionally statement [not claimed] how his invention differs.
- 8. As to applicant's argument as it applies to claims 4 and 13, it is noted that the definition of **opposite** 1 a: set over against something that is at the other end or side of an intervening line or space <~ interior angles> <~ ends of a diameter>. Hence, Sumrack's positioned on the adjacent surfaces are considered to be opposite.
- 9. As to applicant's argument as it applies to claims 6 and 14, Sumrack shows in Figure 1 a panel [unlabeled] positioned between three hoods.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold Joyce whose telephone number is (571) 272-4876. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira Lazarus can be reached on (571) 272-4877. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hareld Joyce Primary Examiner

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